

TITLE 33--NAVIGATION AND NAVIGABLE WATERS  
CHAPTER I--COAST GUARD, DEPARTMENT OF TRANSPORTATION  
PART 100--MARINE EVENTS

Subpart A—General

**100.01 Purpose and intent.**

- (a) The purpose of the regulations in this part is to provide effective control over regattas and marine parades conducted on the navigable waters of the United States so as to insure safety of life in the regatta or marine parade area.
- (b) Geographic coordinates expressed in terms of latitude or longitude, or both, are not intended for plotting on maps or charts whose referenced horizontal datum is the North American Datum of 1983 (NAD 83), unless such geographic coordinates are expressly labeled NAD 83. Geographic coordinates without the NAD 83 reference may be plotted on maps or charts referenced to NAD 83 only after application of the appropriate corrections that are published on the particular map or chart being used.

**100.05 Definition of terms used in this part.**

- (a) Regatta or marine parade means an organized water event of limited duration which is conducted according to a prearranged schedule.
- (b) [Reserved]
- (c) District Commander means the Commander of the Coast Guard District in which the regatta or marine parade is intended to be held. (See Part 3 of this chapter for the geographical boundaries of Coast Guard Districts.)
- (d) State authority means any official or agency of a State having power under the law of such State to regulate regattas or marine parades on waters over which such State has jurisdiction.

**100.10 Coast Guard-State agreements.**

- (a) The District Commander is authorized to enter into agreements with State authorities permitting, regulation by the State of such classes of regatta or marine parade on the navigable waters of the United States as, in the opinion of the District Commander, the State is able to regulate in such a manner as to insure safety of life. All such agreements shall reserve to the District Commander the right to regulate any particular regatta or marine parade when he deems such action to be in the public interest.

**100.15 Submission of application.**

*Effective 5/11/2001*

- (a) An individual or organization planning to hold a regatta or marine parade which, by its nature, circumstances or location, will introduce extra or unusual hazards to the safety of life on the navigable waters of the United States, shall submit an application to the Coast Guard District Commander having cognizance of the area where it is intended to hold such regatta or marine parade. Examples of conditions which are deemed to introduce extra or unusual hazards to the safety of life include but are not limited to: An inherently hazardous competition, the customary presence of commercial or pleasure craft in the area, any obstruction of navigable channel which may reasonably be expected to result, and the expected accumulation of spectator craft.
- (b) Where such events are to be held regularly or repeatedly in a single area by an individual or organization, the Commandant or the District Commander may, subject to conditions set from time to time by him, grant a permit for such series of events for a fixed period of time, not to exceed one year.
- (c) Except as in paragraphs (d) and (e) of this section, the application must be submitted no less than 135 days before the start of the proposed event. However, if all of the following criteria are met, the application must be submitted no less than 60 days before the start of the proposed event:
  - (1) The sponsor submitted an application for the event in the year immediately preceeding.
  - (2) The nature, location, scheduling, and other relevant information contained in the previous application are essentially the same.
  - (3) The Coast Guard received no objection to the previous application.
  - (4) The Coast Guard did not promulgate special local regulations for the previous event.
  - (5) The Coast Guard approved the previous event.
- (d) For marine events to be held on or before September 8, 2001, the application must be submitted no less than 30 days before the start of the proposed event.
- (e) For marine events to be held after September 8, 2001 but before November 23, 2001, the application must be submitted no less than 60 days before the start of the proposed event.
- (f) The application shall include the following details:
  - (1) Name and address of sponsoring organization.

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- (2) Name, address, and telephone of person or persons in charge of the event.
- (3) Nature and purpose of the event.
- (4) Information as to general public interest.
- (5) Estimated number and types of watercraft participating in the event.
- (6) Estimated number and types of spectator watercraft.
- (7) Number of boats being furnished by sponsoring organizations to patrol event.
- (8) A time schedule and description of events.
- (9) A section of a chart or scale drawing showing the boundaries of the event, various water courses or areas to be utilized by participants, officials, and spectator craft.

**100.20 Action on application for event assigned to State regulation by Coast Guard-State agreement.**

- (a) Upon receipt of an application for a regatta or marine parade of a type assigned to a State for regulation under a Coast Guard-State agreement, the District Commander will forward the application to the State authority having cognizance of the event. Further processing and decision upon such an application shall be conducted by the State.
- (b) [Reserved]

**Sec. 100.25 Action on application for event not assigned to State regulation by Coast Guard-State agreement.**

- (a) Where an event is one of a type not assigned to the State for regulation under a Coast Guard-State agreement (or where no such agreement has been entered), the Commander of a Coast Guard District who receives an application for a proposed regatta or marine parade to be held upon the navigable waters of the United States within his district shall take the following action:
  - (1) He shall determine whether the proposed regatta or marine parade may be held in the proposed location with safety of life. To assist in his determination, he may, if he deems it necessary, hold a public hearing to obtain the views of all persons interested in, or who will be affected by, the regatta or marine parade.
  - (2) He will notify the individual or organization which submitted the application:

- (i) That the application is approved, and the nature of the special local regulations, if any, which he will promulgate pursuant to Sec. 100.35; or
- (ii) That the interest of safety of life on the navigable waters of the United States requires specific change or changes in the application before it can be approved; or
- (iii) That the event requires no regulation or patrol of the regatta or marine parade area; or
- (iv) That the application is not approved, with reasons for such disapproval.

#### **100.30 Approval required for holding event.**

- (a) An event for which application is required under Sec. 100.15(a) shall be held only after approval of such event by the District Commander, except that applications referred to a State under Sec. 100.10 shall be governed by the laws of that State.

#### **100.35 Special local regulations.**

- (a) The Commander of a Coast Guard District, after approving the plans for the holding of a regatta or marine parade within his district, is authorized to promulgate such special local regulations as he deems necessary to insure safety of life on the navigable waters immediately prior to, during, and immediately after the approved regatta or marine parade. Such regulations may include a restriction upon, or control of, the movement of vessels through a specified area immediately prior to, during, and immediately after the regatta or marine parade.
- (b) After approving the plans for the holding of a regatta or marine parade upon the navigable waters within his district, and promulgating special regulations thereto, the Commander of a Coast Guard District shall give the public full and adequate notice of the dates of the regatta or marine parade, together with full and complete information of the special local regulations, if there be such. Such notice should be published in the local notices to mariners.
- (c) The special local regulations referred to in paragraph (a) of this section, when issued and published by the Commander of a Coast Guard District, shall have the status of regulations issued pursuant to the provisions of section 1 of the act of April 28, 1908, as amended (46 U.S.C. 454).

#### **100.40 Patrol of the regatta or marine parade.**

- (a) The Commander of a Coast Guard District in which a regatta or marine parade is to be held may detail, if he deems the needs of safety require, one or more Coast Guard vessels to patrol the course of the regatta or marine parade for the purpose of enforcing not only the special local regulations but also for assistance work and the enforcement of laws generally.

- (b) The Commander of a Coast Guard District may also utilize any private vessel or vessels to enforce the special local regulations governing a regatta or marine parade provided such vessel or vessels have been placed at the disposition of the Coast Guard pursuant to section 826 in Title 14, U.S. Code, for such purpose by any member of the Coast Guard Auxiliary, or any corporation, partnership, or association, or by any State or political subdivision thereof. Any private vessel so utilized shall have on board an officer or petty officer of the Coast Guard who shall be in charge of the vessel during the detail and responsible for the law enforcement activities or assistance work performed by the vessel during such detail. Any private vessel so utilized will display the Coast Guard ensign while engaged in this duty.
- (c) The Commander of a Coast Guard District may also utilize any private vessel or vessels placed at the disposition of the Coast Guard pursuant to section 826 in Title 14, U.S. Code, by any member of the Coast Guard Auxiliary, or any corporation, partnership, or association, or by any State or political subdivision thereof, to patrol the course of the regatta or marine parade for the purpose of promoting safety by performing assistance work, effecting rescues, and directing the movement of vessels in the vicinity of the regatta or marine parade. Vessels utilized under the authority of this paragraph are not authorized to enforce the special local regulations or laws generally.

#### **100.45 Establishment of aids to navigation.**

The District Commander will establish and maintain only those aids to navigation necessary to assist in the observance and enforcement of the special regulations issued under the District Commander's authority. These aids to navigation will be in accordance with Part 62 of this chapter. All other aids to navigation incidental to the holding of a regatta or marine parade are private aids to navigation as described in Part 66 of this chapter.